as an assignment, it can derive no assistance from the doctrine of declarations of trust." [3]

Several of the earlier English cases, notably *Morgan* v. *Malleson*,[4] and *Richardson* v. *Richardson*,[5] held that words implying an intention to bestow a present gift constitute an enforceable donation. These decisions were based on the ground that such words are equivalent to a formal declaration of trust. A subsequent Pennsylvania case [6] declared, *obiter*, that this doctrine was "founded in reason and good sense" but it seems that the vast preponderance of modern authority considers it unsound.[7]

In a very recent Virginia case the doctrine as laid down by Professor Graves in 1 VA. LAW REG. 879, 880 was followed and approved.[8] In this case certain sons, being indebted to their father, proffered payment of the amount of their indebtedness. Payment was refused, the father stating that he desired the money paid to the two married sisters of the debtors. The sons consented, and agreed to make payment to the designated parties. Before such payment was made, however, the father died, and the effort of the sisters to secure the amount of the debt failed, the court holding that no valid transfer to the original debtors as trustees had occurred, and refusing to sustain the transaction as a declaration of trust by the father. This ruling is in accordance with the entire weight of authority in Virginia and is so firmly established that no other ruling could be justified unless based on statute.

W. R. A.

ALIMONY—AWARDING SPECIFIC PORTION OF HUSBAND'S ESTATE.—In the absence of express statutory authority, the court ordinarily possesses no power to vest in a wife title to a specific portion of the husband's real estate as alimony. *Lovegrove* v. *Lovegrove* (Va.), 104 S. E. 804.

ADVANCEMENTS—HOTCHPOT.—Under the older line of common law decisions the doctrine of advancements was confined to cases of intestacy and was perhaps never applicable to a case in which there was a will of any of the property.[1] The doctrine was based upon the presumed desire of the donor to equalize the distribution of his estate amongst his children and it was thought that the very foundation of the rule prevented the doctrine from applying unless the ancestor died wholly intestate.[2]

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[3] Prof. Graves, in 1 VA. LAW REG. 879, 880; Ross *v.* Milne, 12 Leigh 204, 222, 37 Am. Dec. 646; Poff *v.* Poff (Va.), 104 S. E. 719.
[4] L. R. 10 Eq. 475. [5] L. R. 3 Eq. 686.
[6] Helfenstein's Estate, 77 Pa. St. 326.
[7] Young *v.* Young, 80 N. Y. 422, and cases there cited.
[8] Poff *v.* Poff, *supra*.
[1] Arthur *v.* Arthur, 10 Barb. (N. Y.) 24. See Hawley *v.* James, 5 Paige (N. Y.) 318; Payne *v.* Payne (Va.), 104 S. E. 712.
[2] Grattan *v.* Grattan, 18 Ill. 167, 65 Am. Dec. 726. See Jaques *v.* Swasey, 153 Mass. 596, 12 L. R. A. 566 and note.